

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

KELVIN ANDRE SPOTTS,

Petitioner,

v.

CIVIL ACTION NO. 3:18-0784  
CRIMINAL ACTION NO. 3:98-00047-01

UNITED STATES OF AMERICA,

Respondent.

**ORDER**

Petitioner Kelvin Andre Spotts has filed yet another duplicative motion pursuant to 28 U.S.C. § 2255. As this Court has held, “Petitioner has **FULLY EXHAUSTED** his ability to file motions pursuant to 28 U.S.C. § 2255, unless he seeks and receives permission to file a successive motion from the Fourth Circuit Court of Appeals. Without such authorization, any attempt by Petitioner to file a new case in which he moves for relief pursuant to § 2255 **WILL BE DENIED** by this Court.” *Order*, at 3, 3:98-0047-01, 3:00-0647, 3:05-0124, & 3:06-0109 (Aug. 8, 2006) (emphasis original), ECF No. 1028; *see also Spotts v. United States*, 3:98-0047-01, 3:07-0306 (June 5, 2007), ECF No. 1065 (same). As Plaintiff has not received permission from the Fourth Circuit to file a successive petition, the Court **DENIES** the current motion.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented parties.

ENTER: May 1, 2018

  
ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE